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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/801,875

03/16/2004

David Michael Suprock

KZG100US

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EXAMINER

PASSANITI, SEBASTIANO

ART UNIT

PAPER NUMBER

3711

MAIL DATE

DELIVERY MODE

02/05/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/801,875

**Applicant(s)**

SUPROCK ET AL.

**Examiner**

Sebastiano Passaniti

**Art Unit**

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on see detailed Office action.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5,20-24,28-31,49-55 and 59-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,20-24,28-31,49-55 and 59-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This Office action is responsive to communication received 11/06/2007 –  
Amendment.

Claims 1-5, 20-24, 28-31, 49-55 and 59-61 remain pending.

#### ***Response to Arguments***

Applicant's arguments, see pages 1-4 of the REMARKS, filed 11/06/2007, with respect to the rejection(s) of claim(s) 1-5, 20-24, 28-31 and 49-55 under 35 U.S. C. §102(e) as being anticipated by Long (U.S. Patent No. 7,192,364) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration and based upon applicant's amendments to the claims, a new ground(s) of rejection is made in view of Allen (U.S. Patent Publication 2002/0019265), already of record.

Following is an action on the MERITS:

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 20-24, 28-31, 49-55 and 59-61 are rejected under 35 U.S.C. 102(b) as being anticipated by Allen (U.S. Patent Publication 2002/0019265).

In general, note the embodiments in Figures 13-24 and the supporting portions of the Allen publication. Allen shows a laminated structure, as Allen indicates that the front

and back walls may be in essence engaged with one another or that the back wall may be slightly spaced from the rear portion of the front face. See claim 1 in Allen.

As to claim 1, note front face (112a) that is fashioned separately and attachable to the main club head body and a back face (126). The front face is secured by welding the front face at the periphery recess (130). The back face (126) includes a stiffness greater than the front face in part because of the increased thickness of the back face and also due in part to the reinforcement of the back face provided by the honeycomb design. Figure 14 clearly shows that while the front face is deformed upon impact with a golf ball, the back face remains substantially non-deformed and is therefor stiffer.

As to claim 2, see Figure 14.

As to claim 3, the honeycomb structure (128) forms "ridges".

As to claim 4, the back face (126) includes a back face area that has less surface area than the front area of the front face (112a) by very nature of the honeycomb design. See Figure 14.

As to claim 5, the front face and back face need not touch, but may be closely separated, as detailed in claim 1 of Allen.

As to claim 20, the club head body in Allen is fashioned as a wood-type club head, wherein a laminated face is formed and comprises front face (112a) and back face (126), with a hollow interior being formed rearward of the lamination. Here again, the front face is secured by welding the front face at the periphery recess (130). The back face (126) includes a stiffness greater than the front face in part because of the increased thickness of the back face and also due in part to the reinforcement of the

back face provided by the honeycomb design. Figure 14 clearly shows that while the front face is deformed upon impact with a golf ball, the back face remains substantially non-deformed and is therefor stiffer.

As to claim 21, see Figure 14.

As to claim 22, the honeycomb structure (128) forms "ridges".

As to claim 23, the back face (126) includes a back face area that has less surface area than the front area of the front face (112a) by very nature of the honeycomb design. See Figure 14.

As to claim 24, the front face and back face need not touch, but may be closely separated, as detailed in claim 1 of Allen.

As to claim 28, the back face (126) includes varying thickness across a cross section of the back face, as evidenced by the honeycomb construction.

As to claim 29, the back face includes "embossed ridges" formed by the honeycomb structure, as broadly as claimed.

As to claims 30 and 31, each of the front and back faces in Allen includes a varying elastic response. See the abstract, along with paragraphs [0003] and [0043]-[0045].

As to claims 49 and 50, note front face (112a) that is fashioned separately and attachable to the main club head body and a back face (126). The front face is secured by welding the front face at the periphery recess (130). Also, Figure 14 shows how the back face supports the front face. Moreover, each of the front and back faces in Allen

includes a varying elastic response. See the abstract, along with paragraphs [0003] and [0043]-[0045].

As to claim 51, the honeycomb structure (128) forms "ridges".

As to claim 52, the back face (126) includes a back face area that has less surface area than the front area of the front face (112a) by very nature of the honeycomb design. See Figure 14.

As to claim 53, the front face and back face need not touch, but may be closely separated, as detailed in claim 1 of Allen.

As to claim 54, the back face (126) includes varying thickness across a cross section of the back face, as evidenced by the honeycomb construction.

As to claim 55, the back face includes "embossed ridges" formed by the honeycomb structure, as broadly as claimed.

As to claims 59-61, note front face (112a) that is fashioned separately and attachable to the main club head body and a back face (126). The front face is secured by welding the front face at the periphery recess (130). Also, Figure 14 shows how the back face supports the front face. Moreover, each of the front and back faces in Allen includes a varying elastic response. In essence, the area of the sweet spot of the front face is increased as is the elastic response time of the front face. See the abstract, along with paragraphs [0003] and [0043]-[0045].

#### ***Further References of Interest***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the front and back faces in Chen.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 571-272-4413. The examiner can normally be reached on Monday through Friday (6:30AM - 3:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene L. Kim can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sebastiano Passaniti/  
Primary Examiner  
Art Unit 3711

S.Passaniti/sp  
January 21, 2008